

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
MDL No. 3076
Case No. 1:23-md-03076-KMM

IN RE:

FTX Cryptocurrency Exchange Collapse Litigation

This document relates to:

Multinational VC Defendants

O'Keefe v. Sequoia Capital Operations, LLC, et al., S.D. Fla.
Case No. 1:23-cv-20700

O'Keefe v. Temasek Holdings (Private) Ltd., et al., N.D. Cal.
Case No. 3:23-cv-3655

Chernyavsky et al. v. Temasek Holdings (Private) Ltd., et al.,
S.D. Fla. Case No. 1:23-cv-22960

Cabo et al. v. Temasek Holdings (Private) Ltd. et al., N.D. Cal.
Case No. 3:23-cv-03974

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**JOINT MOTION TO ESTABLISH BRIEFING SCHEDULE ON PLAINTIFFS'
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AGAINST MULTINATIONAL
VC DEFENDANTS AND DEFENDANT SINO GLOBAL CAPITAL LIMITED'S
RULE 12 MOTIONS TO DISMISS**

Plaintiffs and Multinational VC Defendants Temasek Holdings (Private) Limited (“Temasek Holdings”), Temasek International (USA) LLC (“Temasek USA,” and, collectively with Temasek Holdings, “Temasek”), Sino Global Capital Limited (“SGCL”), Sino Global Capital Holdings, LLC (“SGCH,” and, collectively with SGCL, “Sino Global”), Softbank Group Corp., SB Group US, Inc., SoftBank Investment Advisers (UK) Limited, and SoftBank Global Advisers Limited (collectively, “SoftBank”) respectfully file this joint motion seeking an order from this Court extending the deadlines (1) for Multinational VC Defendants to oppose Plaintiffs’ Motion for Leave to File Amended Complaint Against Multinational VC Defendants (R. Doc. 493) by fourteen (14) days, or up to and including March 15, 2024, and (2) for Plaintiffs to oppose Defendant Sino Global Capital Limited’s Rule 12 motions to dismiss (R. Docs. 497, 498, 499) by fourteen (14) days, or up to and including March 20, 2024. Counsel for Plaintiffs, Temasek, Sino Global, and SoftBank have conferred regarding the relief requested herein, and all parties agreed thereto.

1. On February 16, 2024, Plaintiffs filed a Motion for Leave to File Amended Complaint Against Multinational VC Defendants and attached their proposed amended complaint. *See* R. Doc. 493. In advance of the filing, Plaintiffs conferred with counsel for Temasek, Sino Global, and SoftBank. Counsel for Sino Global indicated that his client opposed the requested relief, whereas counsel for Temasek and SoftBank stated that they could not indicate whether they opposed the requested relief without first reviewing the proposed amendment. Since that time, counsel for Temasek and SoftBank have confirmed that their client in fact opposes the relief requested in Plaintiffs’ Motion for Leave. Temasek, Sino Global, and SoftBank intend to file one joint opposition to Plaintiffs’ Motion for Leave.

2. On February 21, 2024, Sino Global Capital Limited filed three Rule 12 motions to dismiss (R. Docs. 497, 498, 499) Plaintiffs’ Administrative Class Action Complaint against the Multinational VC Defendants (R. Doc. 182). To be clear, Sino Global Capital Limited’s motions pertain to Plaintiffs’ original administrative complaint—not the proposed amendment—though those motions to dismiss were filed after Plaintiffs’ Motion for Leave.

3. Yesterday and today, the parties conferred regarding a proposed briefing schedule on Plaintiffs' Motion for Leave (R. Doc. 493) and Sino Global Capital Limited's Motions to Dismiss (R. Docs. 497, 498, 499).

4. All parties agreed to extend the deadline for (1) Multinational VC Defendants' opposition to Plaintiffs' Motion for Leave to File Amended Complaint Against Multinational VC Defendants (R. Doc. 493) by fourteen (14) days, or up to and including March 15, 2024, and (2) Plaintiffs' oppositions to Defendant Sino Global Capital Limited's Rule 12 motions to dismiss (R. Docs. 497, 498, 499) by fourteen (14) days, or up to and including March 20, 2024.

5. By agreeing to this motion, the Multinational VC Defendants do not waive any of their rights or defenses, including any objections to personal jurisdiction or the insufficiency of service of process, all of which are expressly reserved.

WHEREFORE, Plaintiffs and Multinational VC Defendants pray that the Court grant their Joint Motion to Establish Briefing Schedule as to Plaintiffs' Motion for Leave to File Amended Complaint Against Multinational VC Defendants and Defendant Sino Global Capital Limited's Rule 12 Motions to Dismiss.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1 (a)(3)

In compliance with Local Rule 7.1(a)(3), counsel for Plaintiffs, Temasek, Sino Global, and SoftBank conferred via email regarding the relief requested herein, and all parties came to agreement on this joint request for relief. Counsel for all parties indicated that they did not oppose the extensions or briefing schedule requested herein.

Dated: February 29, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed on February 29, 2024 via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Adam Moskowitz
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